

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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BONCHON INTERNATIONAL, INC.,  
BONCHON U.S.A., INC., and  
BONCHON FRANCHISE LLC,

Plaintiffs,

v.

SAPPORO INC.; BC ALEXANDRIA INC.;  
BON BURKE INC.; SUN M. AN; and  
YONG C. HAM,  
a/k/a RYAN HAM

Defendants.  
-----X

**AFFIDAVIT IN SUPPORT  
OF ENTRY OF CLERK'S  
CERTIFICATE OF DEFAULT**

23-cv-03424-KPF

STATE OF NEW YORK     )  
                                  )  
COUNTY OF NEW YORK    )     ss:

Kevin M. Shelley, being duly sworn, deposes and says:

1. I am a member of the Bar of this Court and am a partner with the firm of Kaufmann Gildin & Robbins LLP, attorneys for plaintiffs in the above-entitled action. As such, I am familiar with all the facts and circumstances in this action.
2. I make this affidavit pursuant to Rule 55.1 and 55.2(a) of the Civil Rules for the Southern District of New York, in support of plaintiffs' application for the entry of a Clerk's Certificate of Default against each of the defendants.
3. This is an action seeking monetary damages and injunctive relief for trademark infringement, trade dress infringement, unfair competition, misappropriation of trade secrets, and breach of contract.
4. Jurisdiction is proper under 28 U.S.C. 1331, 1338(a) and 1338(b), based upon claims asserted under the Lanham Act, 15 U.S.C. 1114 and 1125; the Defend Trade Secrets Act of 2016, 18 U.S.C. 1836; and related state law claims for breach of contract.

5. This action was commenced on April 24, 2023 by the filing of the summons and complaint. A copy of the summons and complaint was served on the defendants as follows:
  - a. Sapporo Inc. by personally serving Luiz Gonzalez on June 3, 2023 and proof of service was filed on June 5, 2023, Doc. No. 19.
  - b. BC Alexandria Inc. by personally serving Sun An on June 7, 2023 and proof of service was filed on June 12, 2023, Doc. No. 20.
  - c. Bon Burke Inc. by personally serving Sun An on June 3, 2023 and proof of service was filed on June 5, 2023, Doc. No. 18.
  - d. Sun M. An by personally serving Sun An on June 2, 2023 and proof of service was filed on June 5, 2023, Doc. No. 20. Defendant Sun M. An is not a minor, mentally incompetent or in the military service of the United States of America.
  - e. Yong C. Ham, a/k/a Ryan Ham by personally serving Sun An on June 3, 2023 and proof of service was filed on June 5, 2023, Doc. No. 21. Defendant Yong C. Ham a/k/a/ Ryan Ham is not a minor, mentally incompetent or in the military service of the United States of America.
6. The defendants have not answered the complaint and the time for the defendants to answer the complaint has expired.
7. This Complaint seeks damages in an amount to be determined by the Court and injunctive relief as specified in the Complaint.

WHEREFORE, plaintiffs request the entry of a Clerk's Certificate of Default as against each Defendant.

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Dated: New York, New York  
June 29, 2023

Respectfully submitted,



David J. Kaufmann  
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*Attorneys for Plaintiffs*

Sworn to before me this 29th  
day of June, 2023.



Notary Public

DANIEL GILDIN  
NOTARY PUBLIC, State of New York  
No. 31-4664971  
Qualified in New York County  
Commission Expires September 30, 20 26